

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,
INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD
FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON
THURSDAY, JUNE 19, 2008 AT 7:30 P.M.**

The meeting of the **New Albany City Council** was called to order by President Jeff Gahan at 7:30 p.m. The meeting opened with the Lords Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Caesar, Mr. Price, Mr. McLaughlin, Mrs. Benedetti, Mr. Gonder, Mr. Messer, Mr. Zurschmiede and President Jeff Gahan.

OTHERS: Council Attorney Jerry Ulrich and City Clerk Marcey Wisman.

ALSO: Asst. Director of City Operations Matt Denison, John Rosenbarger and Scott Wood.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Price made a motion to move the CF-1's forward, Mr. Caesar second, all voted in favor.

APPROVAL OF CF-1 FORMS:

Gordon L. Huncilman and Jeffrey Huncilman dba
Huncilman Enterprises Compliance with Statement
Of Benefits, Referencing R-96-3B

Mr. Messer moved to approve, Mr. Price second, all voted in favor.

Carl Booth & Co., LLC, Compliance with
Statement of Benefits, Referencing R-99-03(RP), R-99-03(PP),

Tabled

Lumley Enterprises, Inc., Compliance with Statement
of Benefits, Referencing R-04-36(RE)

Mr. Coffey moved to approve, Mr. Messer second, all voted in favor.

McDonald Marble & Stone, Compliance with
Statement of Benefits, Referencing R-01-01, R-03-40(RE)

Mr. Price moved to approve, Mr. Messer second, all voted in favor.

Morency Real Estate, Compliance with Statement of
Benefits, Referencing R-02-31(RE)

Mr. Messer moved to approve, Mr. Caesar second, all voted in favor.

P.C. Building Materials, Compliance with Statement
of Benefits, Referencing R-95-19

Mr. Coffey moved to approve, Mr. Zurschmiede second, all voted in favor.

PAAR, LLC, Compliance with Statement
Of Benefits, Referencing R-04-32 and R-07-36(RE)

Mr. Messer moved to approve, Mr. McLaughlin second, all voted in favor.

Planet Telecom/ICIM, Corporation Compliance with

Statement Of Benefits, Referencing R-01-02(RE)

Mr. Price moved to approve, Mr. Messer second, all voted in favor.

Product Specialties, Inc., Compliance with Statement
Of Benefits, Referencing R-98-17(RE), R-98-14, R-04-08(PP)

Mr. Benedetti moved to approve, Mr. Messer second, all voted in favor.

John Shine/Samtec/Lee Supply, Compliance with
Statement of Benefits, Referencing R-08-40, R-97-45, R-02-15
R-06-11(RE), R-97-40(PP) and R-02-15(PP)

Mr. Gonder moved to approve, Mr. Benedetti second, all voted in favor.

Sprigler Door Service, Inc., Compliance with Statement
Of Benefits, Referencing R-00-21(RE)

Mr. Messer moved to approve, Mr. Caesar second, all voted in favor.

COMMUNICATIONS – PUBLIC:

T. W. Thom, 1214 Lexington Drive, spoke against the McCartin Project stating that they are not against nothing going in there they just feel that the project has a lot of flaws.

Francis Campbell, 1208 Lexington Drive, presented an email asking the council to vote against the McCartin project stating that the neighbors have been present at the meetings because they care about their home environment.

David Campbell, 1208 Lexington Drive, presented materials that outlined why this projects falls short of being considered a PUDD. Said materials are on file with the City Clerk's office.

Bob Dusch, spoke against the McCartin Project. He informed the council that the Plan Commission voted against, he informed them that after Mr. Messer asked Mr. McCartin if he had met with the neighbors and he has not.

Paul Hust, 1225 Lafayette, spoke against the McCartin Project and stated that there needs to be more privacy for the neighbors and he has concerns regarding the traffic this will add to his neighborhood and he also has concerns with the drainage issues.

COMMUNICATIONS – CITY OFFICIALS:

Ms. Wisman informed the council that she has received a memo from American Legal informing her that they have completed there review of the City Ordinance Book and that they will be sending their opinion within the next couple of weeks.

Mr. McLaughlin asked if there was anyone from the street department available because his area has a large amount of yard waste that has not been picked up

Mr. Mickey Thompson explained to them that he currently has 6 – 8 people picking up this waste and in a 9 day period they hauled 56 tons to of yard waste.

The was a lengthy discussion regarding the operation of the Street Departmenr

Mr. Messer informed the council that they received in their packets and Redistricting Committee's plan for their review and that there would be an ordinance in the packet for the first July meeting.

Mr. Gahan stated that at the next meeting they will be forming 2 committees to look at the condition of housing in the city and he asked the members to look at their schedules and plan to volunteer for these committees. Also, at the July 7 meeting at 6:00 they will hold a public hearing to discuss a smoking ordinance.

COMMUNICATIONS – MAYOR

APPOINTMENTS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

READING

R-08-23 Approving a Declaratory Resolution and
Redevelopment Plan of the Redevelopment
Commission of the City of New Albany, Indiana, and
Approving the Order of the New Albany City Plan
Commission

Benedetti

Mrs. Benedetti moved for the reading of R-08-23, Mr. Coffey second, all voted in favor except Mr. Price who voted nay.

Mr. Coffey asked that this be pulled until after July and it will come back to the council when it goes to the bond issue. He informed the board that at the last Redevelopment Commission a member stated that they wanted to get this through prior to July so that they don't have to take it to the council even though they are constantly being told the administration wants to work with the council.

Mr. Rosenbarger informed the council that there is no bond issue planned for this TIF area at this time and any bond that they would apply for would be after July and it would have to come before the council.

R-08-33 Resolution Concerning statement of Benefits for
M & V Investments, Inc. by the Common Council of
The City of New Albany

Benedetti

Mrs. Benedetti moved for the reading of R-08-33, Mr. Caesar second, all voted in favor

R-08-34 Resolution of the Common Council of the City of
New Albany, Indiana

Coffey

Mr. Coffey moved for the reading of R-08-34, Mr. Price second, the motion did not carry with three aye votes from Mr. Gonder, Mr. Coffey and Mr. Price and six nay votes from Mr. Caesar, Mr. McLaughlin, Mrs. Benedetti, Mr. Messer, Mr. Zurschmiede and Mr. Gahan.

Mr. Coffey stated that he discussed this with Mr. Wood and asked that he explain this.

Mr. Wood explained that this is the RN-1 zoning was created initially for the Cedar Bough to limit the type of housing in this neighborhood and he stated that if this would pass the council then he would take this to the Plan Commission to develop a zoning condition in the West end.

There was a lengthy discussion regarding how this resolution would affect the area.

Mr. Messer asked if this would lower their property value.

Mr. Wood stated that in his mind this will lower their property value.

There was a lengthy discourse between Mr. Coffey and Mr. Messer regarding the effects this resolution may or may not have on the West End.

Mr. Messer stated that he doesn't feel comfortable with passing this without knowing whether or not this will lower their property value.

Mr. Caesar stated that his in-laws owned one of the houses that had been bought and moved for the hospital expansion and they were able to purchase a new home with the proceeds they received and everything moved very smoothly for them. However, he could see where changing the zoning in this way may cause problems for the individuals who may want to sell their houses to any developers that may develop the West End and that is why he cannot vote for this resolution.

A-08-08	Additional Appropriation for the Law Grant Non-Reverting Fund for purchase of AFIS Machine	McLaughlin 1
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Mr. McLaughlin moved for the first reading of G-08-08, Mr. Zurschmiede second, all voted in favor

Detective Fudge and Officer Bailey addressed the board and informed them that Congress has issued \$169,289 for the City of New Albany for the purpose of new technology. He stated that the grant was initiated through Baron Hill's office and deemed very important by the Congressional Committee because there is not a device like this within a 100 mile area. He state that their request tonight is for a non-reverting fund in that amount but they may not access that full amount because it just may not cost this much. He explained that it is not a matching grant so it will be of no cost to the City but if they do not take the grant it will go to someone else.

A-08-09	Additional Appropriation for Riverfront Heritage Non-reverting Fund	Messer 1
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Mr. Messer moved for the first reading of G-08-09, Mr. Zurschmiede second, all voted in favor.

A-08-10	Additional Appropriation Ordinance for Riverboat Fund	Gonder 1
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Mr. Gonder explained that this has been withdrawn from the agenda on request of the Mayor. However, he was not given any explanation as to why he wanted this pulled.

A-08-07	Additional Appropriation Ordinance for the Local Roads and Streets Fund	Caesar 2&3
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Mr. Caesar moved for the second and third reading of A-08-07, Mr. Price second, all voted in favor. Bill A-08-07 became ordinance A-08-21.

Z-08-08	Ordinance Amending the Code of Ordinances of New Albany, Indiana, Title XV, Chapter 156 (Docket P-04-08: Gary McCartin)	Price 2&3
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Mr. Price moved for the second and third reading of Z-08-08, Mr. Benedetti second, the motion did not pass with everyone voting no.

Mr. Coffey stated that he wanted people to know that he typically will vote for something so that it can move forward with the process but the fact that they didn't go and talk to the people regarding this weighs on his decision.

Z-08-10	Ordinance Amending the Code of Ordinances of New Albany, Indiana, Title XV, Chapter 156, (Docket P-10-08: Silvercrest, LLC)	Price 2&3
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Mr. Price moved for the second and third reading of Z-08-10, Mr. Coffey second, all voted in favor. Bill Z-08-10 became ordinance Z-08-22.

Mr. Wood explained that this is the old Silver Crest Hospital and Mr. Chalfant is going to develop this into an assisted living facility.

Mr. Gonder asked about the alteration of the site.

Mr. Wood explained that the hospital, administration building and the administration housing are considered Historical Preservation and can be rehabbed but will full under the jurisdiction of the Historical Preservation Commission.

Z-08-11 Ordinance Amending the Code of Ordinances of Zurschmiede 2&3
New Albany, Indiana, Title XV, Chapter 156,
(Docket P-08-08: JTR Properties, LLC)

Mr. Zurschmiede moved for the second and third reading of Z-08-11, Mr. Price second, all voted in favor. Bill Z-08-11 became ordinance Z-08-23.

Mr. Zurschmiede stated that this is the storage units that will be going up on Paoli Pike.

Z-08-12 Ordinance Amending the code of Ordinances of Price 2&3
New Albany, Indiana, Title XV, Chapter 156,
(Docket P-03-08: SDR Development Inc., and
ICON Properties, LLC)

Mr. Price moved for the second and third reading of Z-08-12, Mr. Coffey second, all voted in favor. Bill Z-08-12 became ordinance Z-08-24.

Mr. Caesar informed the council that there is a budget workshop in Jasper on June 26 that he is going to attend.

Mr. Gahan stated that they would like to get as many as they can to go to this. He stated that Mrs. Garry will be ready soon for them to schedule budget hearings.

Mr. Rosenbarger invited the council members to the Redevelopment meeting next Tuesday

ADJOURN:

There being no further business to be heard, the meeting adjourned at 9:03 p.m.

Jeff Gahan, President
Common Council, City of New Albany

ATTEST: _____
Marcey Wisman, City Clerk